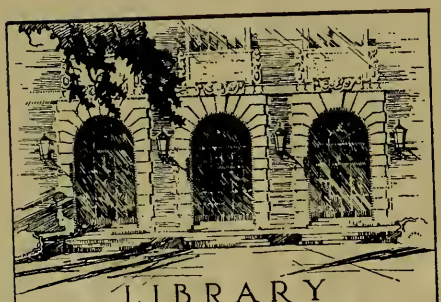

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# WRONGS AND REMEDIES;

OR,

THE WRONGS OF THE

ELEMENTARY EDUCATION ACTS,

AND

HOW TO REMEDY THEM.

BY

FREDERICK CALVERT, ESQ., Q.C.

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"Be just, and fear not."

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# WRONGS AND REMEDIES.

## Introduction.

Many months have now passed away since the prorogation of 1876. There has been time for calming the excitement which arose in the heat of debate: and matters which during the last session could scarcely be mentioned without causing irritation, may now be temperately discussed. Elementary Education interests every one. The well-being of the millions who are to be educated, and the morality and religion and consequently the prosperity of the entire nation depend upon it, and make the subject far too serious for any indulgence in personal bitterness or party feelings. The simple question is, What is right to be done? This question must be answered with reference to its own intrinsic merits, and with reference to them only.

The object of the Pamphlet.

In February, 1876, I ventured to publish a pamphlet under the title of "Denominationalists and Secularists."* I was then told that I had

* *Denominationalists and Secularists*, by F. Calvert, Esq., Q.C. Ridgway, 1876.

made clear the existence of very serious defects in the law upon Elementary Education; but that I had omitted to suggest any kind of remedy for them. The omission was intentional. I thought it right to leave the suggestion of remedies to those who were in positions of authority and influence. In the last session, several improvements were proposed by Lord Sandon; and some of them were carried through Parliament. They were steps in the right direction, and were calculated to be beneficial, as far as they would go. But they failed to provide all the remedies which were required by the defects in the Act of 1870. I will therefore attempt to supply the omission, which I intentionally made in my former pamphlet. My object is to propose such a measure as may satisfy the just claims of those large classes of persons who have been unjustly treated in the provision of that Act: and nothing beyond that limit.

But, before I come to a statement of existing grievances and to the proposal of a remedy, I will make some preliminary remarks.

No compromise in passing the Act of 1870.

Some persons have suggested that the Act of 1870 was the result of a compromise. If it was, when was the compromise made? As late as the 1st of July, 1870, Sir Stafford Northcote made a motion in Committee to confer upon School Boards perfect freedom in respect of religious teaching; in this respect to restore the bill to its

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original state. There was a division upon this motion, and Sir Stafford was defeated by a large majority. Clearly there was at that time no compromise. After that time the Opposition acted, as all defeated parties must necessarily act: simply they took what the victorious party allowed them to have. Since the Act was passed the supporters of School Boards, instead of treating the Act as an Act not to be altered, because a matter of compromise, have proposed very important alterations:—For instance, the abolition of the 25th clause, universal school boards, and universal direct compulsion. If anything passed in the nature of agreement or compromise, it is found in the assurance which was given, that Board Schools should be established merely to "fill up gaps," to "supplement, not to supplant" Voluntary Schools. No pains were spared to persuade the members of the Legislature, that the bill was intended to have this and no further effect. Upon receiving this assurance, members of all parties joined in supporting the bill.

Yet in the mode in which the Act has been carried out, this idea has in many places been lost sight of; in Birmingham especially, and in places under the influence of the principles which prevail at Birmingham. We are told even by moderate men,* that the Denominational and Board systems are rivals; that the public are to choose between

* Lord Hartington, *Times*, 5th Aug. 1876.

them; that the preference of the public will be signified by the establishment of one or the other system in districts and parishes; that the Board system is sure to be preferred, and that the Denominational will gradually become extinct.

Nothing to hamper Parliament in 1877.

Upon these considerations, I cannot admit that any compromise was ever made. But if there ever was a compromise, it has been long since abandoned by the supporters of Board Schools. Nothing therefore of this nature can hamper the Parliament of 1877 in making any improvements, which they may think advisable.

## Progress of Education since 1870.

Events in 1839.

Early in this century, the Legislature first embarked in the promotion of Elementary Education. The views then entertained are patent upon the public documents of the day. Lord Russell in his letter to Lord Lansdowne in 1839, conveys the Queen's wishes upon the subject. "Four* principal objects must be kept in view: First, religious instruction: second, general instruction: third, moral training: fourth, habits of industry." His lordship adds, "It is Her Majesty's wish that the youth of the kingdom should be *religiously brought up*, and that the *rights of conscience should*

* *National Education and Public Elementary Schools*, by J. R. Rigg, D.D.

*be respected.*" In the model school that was to be established, "religion was to be combined with the whole matter of instruction, and to regulate the entire discipline." In 1846, Sir James Shuttleworth, writing on behalf of the Government, says, "The* Government has never wavered in its adherence to the principle adopted in 1839, that *religion should be mixed with the entire matter of instruction in the school and regulate the whole of its discipline;* and the perseverance of successive Governments in the adoption of the principle, that religion is the foundation on which education must be built, has vindicated statesmen from the suspicion to which we have previously alluded, that they valued education chiefly because of their confidence in the influence of pure secular learning."

Accommodation in Schools in 1870.

Working with religion as an indispensable *basis*, the Denominationalists had before 1870 provided school accommodation for 1,875,584 children. We have not materials for accurately calculating what proportion this amount of accommodation bore to the entire amount then actually required; but we know that in the year 1874 the number of children accommodated in the Voluntary Schools was 2,715,062, while in 1871† the demand for accommodation‡ was on behalf of 3,225,500

* Rigg, p. 302.

† This is the year of the last census.

‡ See Report of the Education Committee, 1875-6, p. 13, note.

children. In other words, the supply of accommodation in 1874 exceeded, by upwards of twenty-seven thousand, *five-sixths* of the entire demand of 1871.

Public opinion in 1870 as to Denominational Schools.

If in 1870 an attempt had been made to abolish Denominational Schools, the favour with which they were viewed by the public would, according to Mr. Forster's own admission, have insured the defeat of the bill. But before that time the subject had been in its infancy; it was working onwards to a state of things, which would have provided all that the country required in the way of Elementary Education; nor would instruction in extra subjects have been wanting, if they had been required by the Education Department,* and if proper payment had been offered. Before 1870 there were no means of compelling the attendance of children. There was no sufficient pecuniary aid to poor parishes and districts. A scanty grant for setting a school on foot, and payment by results upon a meagre scale for maintaining it, were all that could be obtained.

The language of some people would lead us to suppose that no effective steps towards the education of the lower classes were taken before School Boards came into existence; and that they alone have shown a capacity and a desire for its advance-

* The term "Education Department," means the Lords of the Committee of the Privy Council on Education. *See* 33 & 34 Vict. c. 75, s. 3.

ment. No supposition can be farther from the truth. The Secularist party established scarcely any schools before the rate was legalized. Almost all the elementary schools which existed before 1870 were established by members of religious bodies, and upon the basis of religion. These persons gave money from their own resources, while the Secularists were merely talking. If these religious bodies had had the assistance of a rate, and a power of compulsion, accommodation would have been afforded by them for all the children in the kingdom before 1870; and a great, in many cases, an extravagant outlay would have been avoided.

Claim of Denominational Schools to equality of treatment.

But suppose that in 1870 the Government, instead of attempting to abolish Denominational Schools, had said, "We think that the public are not satisfied with the working of the existing religious schools. We propose, therefore, to establish schools, in which all *distinctive* religious teaching shall be forbidden, and in which the *exclusion* of all religion whatsoever shall be *permitted:* these new schools shall be in rivalry with the existing schools, and shall compete with them: the public shall judge between them, and show their preference by maintaining or neglecting one or the other class of schools." If such an announcement had been made, what would have been the general reply? Would it not have been

irresistibly argued, that the two classes of schools must, in common fairness, be placed upon equal terms? That, in point of finance especially, such equality must be established: that, if this were not the case, parishes or individuals might prefer the one system or the other, not on account of its intrinsic merits, but on account of the difference in the incidence of the burden of the cost incurred. The Denominational Schools had up to that time done good service in the cause of education, bearing the burden and the heat of the day, and working with little encouragement and scanty help from the State. Would it not have been the universal opinion that their title to *equality of treatment* with that of any schools which might be created under new legislation was absolutely undeniable?

The treatment of Denominational Schools.

No one who is acquainted with the working of the Education Act of 1870 will affirm that such equality of treatment has really been established. To make my meaning clear, I will illustrate it by an hypothetical case.

Suppose that in any parish there existed two schools; one of them a Dissenters' School, the other a Church School; both supported by voluntary subscriptions. Suppose a law were to be passed, allowing the formation of a School Board, and the imposition of a school rate, to be compulsorily levied on all householders in the parish, whether they subscribed to either school or not;

but with this proviso, that the Dissenters' School should receive no benefit from the sums paid by Dissenters to the rate, but that the entire proceeds of it should be applied in payment of the expenses of the Church School. What would the several classes of Dissenters have said? Would they not have renewed all the arguments which were used against Church Rates? Would they not have raised a cry of injured consciences? Yet this is precisely the principle of the existing law; only it is applied conversely. The injustice is done, not to Dissenters, but to Churchmen. I shall mention a case in which the injustice is strongly marked. In the working of the School system it has become too much the custom to speak and act as if the consciences of Dissenters *alone* were to be respected, while those of Churchmen are to be treated with indifference and neglect. My contention is that the consciences of all classes should be equally respected.

## Progress of Education after 1870.

Accommodation in August 1875.

I now pass to the year 1875. I have shown what Denominationalists accomplished before 1870, when they encountered no competition. The experience of the subsequent years will show what they have accomplished in the face not merely of

competition, but of competition supported by funds practically unlimited. These statistics* are taken from the last returns which have been issued by the Education Department.

| | |
|---|---|
| The total number of Schools actually inspected in the year ending Aug. 31, 1875, was . . . . . | 14,067 |
| Of which Voluntary Schools were | 12,903 |
| „ Board Schools „ | 1,164 |
| Accommodation in Voluntary Schools, Aug. 31, 1875 . . . | 2,839,902 |
| Accommodation in Board Schools, Aug. 31, 1875 . . . . | 389,210 |
| The entire accommodation . | 3,229,112 |

Thus the Voluntary Schools mentioned in these returns afforded more than seven-eighths of the entire existing accommodation; and it must be remembered that, in addition to these schools, there were many other Voluntary Schools which received no Government Grant, and were not included in the returns.

Increase of ac-

Next as to the increase of accommodation in

* I am obliged in all my statistics to limit the inquiry to the year 1875, as the returns for 1876 are not yet published.

schools, which are in receipt of Government Grants, the figures are as follows:— commodation between 1870 and 1875.

| | Year ending Aug. 31, 1870. | Year ending Aug. 31, 1875. |
|---|---|---|
| | Accommodation. | Accommodation. |
| Church of England Schools . | 1,365,080 | 2,009,626 |
| British, Wesleyan, &c., ,, . | 411,948 | 561,162 |
| Roman Catholic ,, . | 101,556 | 189,236 |
| School Board ,, . | — | 386,400 |
| | 1,878,584 | 3,146,424 |

The above figures show that from the date of the passing of the Education Act in 1870 to August 1875 additional accommodation was provided by the Church in efficient schools for 644,548 children; while all the other religious bodies and Board Schools together provided for only 623,294. Thus the increase in Church Schools exceeded that of all other religious denominations and Board Schools combined.

The comparative efficiency of the different schools may be tested by the average amount of Government Grants paid on the result of the examination by Her Majesty's Inspectors. The average amount is as follows:— Efficiency of schools tested.

| | Average amount of Government Grant. | Excess of Grant over amount earned in Board School. |
|---|---|---|
| | s. d. | s. d. |
| Church of England Schools . . | 12 8¼ | 1 3 |
| British and Wesleyan ,, . . | 13 0¼ | 1 7 |
| Roman Catholic ,, . . | 12 10¾ | 1 5½ |
| Board ,, . . | 11 5¼ | — |

A further test is that of the number of passes. The following table gives the percentages of passes in reading, writing, and arithmetic of the children who were *presented for examination.*

| | Reading. | Writing. | Arithmetic. |
|---|---|---|---|
| Church of England Schools . | 88·45 | 79·62 | 70·07 |
| British and Wesleyan ,, . | 88· | 79·62 | 71·87 |
| Roman Catholic ,, . | 89·12 | 81·01 | 71·02 |
| Board ,, . | 87·36 | 82·64 | 74·04 |

Percentage of school children presented for examination.

The Board Schools appear in these returns inferior to the Voluntary Schools in reading, but slightly superior in writing and arithmetic. This slight superiority of the Board Schools in the latter subjects disappears, when it is found that the Voluntary Schools present for examination a much larger number of the children who are in average

attendance than do the Board Schools. The returns are as follows:—

| | Average attendance. | No. present at Examination. | Percentage present at Examination. | Percentage over No. present in Board Schools. |
|---|---|---|---|---|
| Church of Eng. Schools | 1,175,289 | 907,384 | 77·2 | 7·87 |
| British & Wesleyan ,, | 328,180 | 259,523 | 79·07 | 9·74 |
| Roman Catholic ,, | 106,426 | 84,649 | 79·53 | 10·2 |
| Board ,, | 227,285 | 157,590 | 69·33 | — |

Moreover the average attendance as compared with the number on the rolls of the Schools is also much higher in Voluntary than in Board Schools, although the latter have hitherto had almost exclusively the aid of compulsion.

| | Total No. on Rolls. | Average attendance. | Percentage in average attendance. | Percentage over Board Schools. |
|---|---|---|---|---|
| Church of Eng. Schools | 1,735,895 | 1,175,289 | 67·7 | 3·13 |
| British & Wesleyan ,, | 492,588 | 328,180 | 66·62 | 2·05 |
| Roman Catholic ,, | 163,850 | 106,426 | 64·95 | ·38 |
| Board ,, | 351,967 | 227,285 | 64·57 | — |

In the specific subjects taught under the New Code, such as geography, grammar, history, Test on specified subjects.

algebra, languages, &c., there is a great superiority on the part of the Voluntary Schools.

| | Average attendance. | No. of passes. | Percentage of passes. | Percentage over Board Schools. |
|---|---|---|---|---|
| Church of Eng. Schools | 1,175,289 | 70,396 | 5·98 | 2·15 |
| British & Wesleyan ,, | 328,180 | 26,540 | 8·08 | 4·25 |
| Roman Catholic ,, | 106,426 | 3,080 | 2·89 | — |
| Board ,, | 227,285 | 8,727 | 3·83 | — |

Comparison of the different systems in finance.

Turning to the question of finance, it is calculated that the total sum expended by the Church of England between the years 1811 and December 31, 1874, in the site and building of schools was considerably more than twelve millions sterling; and that during the same period the cost of maintenance of the same schools amounted to upwards of fifteen millions. Thus for site, building, and maintenance the entire sum amounted to £27,000,000 and upwards.

According to the Government returns the Church has during the six years ending in August 1875, contributed for education the sum of £3,682,173, while all the other religious bodies have contributed the sum of £833,709.

The incomes of Voluntary and Board Schools for the year ending 31st August, 1875, were as follows:—

INCOME OF VOLUNTARY AND BOARD SCHOOLS,
AUGUST 31, 1875.

| | | |
|---|---|---|
| VOLUNTARY SCHOOLS— | | |
| 1. Total Income . . . | £2,581,269 | |
| 2. Grants from Government . | £941,285 | |
| 3. Rates . . . . . | £5,432 | |
| Total State Aid (Rates and Government Grant) . | £946,717 | *i.e.* little more than $\frac{1}{3}$ of total. |
| BOARD SCHOOLS— | | |
| 1. Total Income . . . | £412,842 | |
| 2. Grants from Government . | £79,254 | |
| 3. Rates . . . . . | £230,682 | |
| Total State Aid (Rates and Government Grant) . | £309,936 | *i.e.* about $\frac{3}{4}$ of total. |

The schools erected by the Board cost £9. 8*s* 4*d* per head for building only. Voluntary Schools in London have cost on the average for building little more than £5. 10*s* per head.

The cost of maintaining Board Schools per head is £2. 11*s* 6$\frac{3}{4}$*d*; the cost of maintaining Voluntary Schools for the whole of England and Wales is £1. 12*s* per head; and, as far as can be ascertained, the rate in London only slightly exceeds £1. 12*s*.

Summary of comparisons.

It appears from these returns that in the entire extent of accommodation, in the increase of accommodation during the five years ending in August, 1875, in the number of children upon the rolls, in the average of attendance, and in the proportion of

children presented for examination, the Voluntary Schools are decidedly superior to the Board Schools. Their superior efficiency is still further proved by the excess of Government Grant which is earned, and by that of the passes which are obtained for extra as well as common subjects by the children who attend them. While at the same time the expense of the Board Schools is much the greater, and also the proportion of the expense which is defrayed by the rates and Government Grant. On the other hand the pecuniary contributions of Churchmen in the establishment and maintenance of their schools have been enormous.

Inferences from facts stated.

From these facts, two inferences must be drawn. One of them is, that it is quite at variance with the public interest, that all further school accommodation should be supplied exclusively by schools established upon the principle of the existing Board Schools. Indeed, the fair inference is precisely the contrary; namely, that wherever Denominational Schools can be set on foot, they ought to receive all possible encouragement: that the principle upon which the Act of 1870 was passed ought to be faithfully acted upon; and therefore that schools such as the present Board Schools ought not to be thought of, until it has been ascertained that, through the want of sufficient accommodation in Denominational Schools, there is a *gap to be filled*, a *system to be supplemented.*

The other inference is that the Denominational Schools have produced such results between 1870 and 1875, that they have established with increased strength their claims upon the Legislature to receive a treatment at least as favourable as that which is given to schools of the character of the existing Board Schools.

## Grievances arising under the Act of 1870.

The treatment which Denominational Schools actually receive is of quite an opposite nature. Indeed the inequality of the present law is glaring, and presses severely upon these schools.

Instances of grievances under the existing Law. Parish B.

In illustration of that inequality I will mention the circumstances of two parishes which have been brought to my notice. In parish B. there was formerly one mixed school for both boys and girls,—a Church School. The religious difficulty was never heard of. When the Inspector of the Education Department visited the parish, he reported a deficiency of accommodation. It could not be supplied, because one principal landowner, a Churchman, refused to subscribe. The consequence was, that a Board was forced upon the parish, a rate imposed, and a new school built. The new school is used for girls and infants. The old school has continued to be a Church School, and is used for boys. The Vicar has always been chairman of the School Board, and also has

superintended the Church School. The Board consists of five members, of whom four are Churchmen, and the fifth the Dissenting Minister. The education-rate amounts to about £240, of which Churchmen pay about £210, Dissenters about £30. Parents who have children of both sexes send their boys to the Church School, their girls and infants to the Board School. The feeling throughout the parish is almost universally in favour of Church teaching: but the girls are not allowed to receive the same Church teaching as the boys, for one reason and one reason only, namely that the law forbids it. The whole of the £210. paid by Churchmen is applied in payment for the school of which they disapprove; and to this school, with which none except Dissenters are satisfied, Churchmen are compelled to send their daughters. Is this justice or equality? Is it not a case, in which the law sets at defiance the feelings and consciences of the great bulk of the community, and the best principles of legislation?

Borough O.

In the borough of O. there have long been several Church Schools, and one school in connexion with the British and Foreign Society. The Inspector of the Education Department reported that there was deficiency of accommodation for the children of the borough. Churchmen supplied it, and added, moreover, accommodation for thirty children extra. The Town Council

decided by two to one against the establishment of a Board. Then the supporters of the British and Foreign School shut up their school, in order, *as they avowed*, to create such a deficiency of accommodation as would oblige the Inspector to require the formation of a Board. The scheme was successful. A Board has been formed. The majority of it are Churchmen; so are the large majority of the rate-payers. The largest portion of the rate is paid by Churchmen: yet they are not allowed to devote one farthing of it to the school of which they approve. All their payments are taken to support the school of which they disapprove. Here, again, is an instance of the great injustice of the law, and of an offence against the consciences of the great majority of the ratepayers.

Irregularity of the Law.

The circumstances of these parishes show the working of the law. They show that there is in the treatment of the two rival systems of schools an inequality which absolutely demands correction. Lord Sandon,* in speaking of the state of public feeling upon subjects of this kind, said that "the people of this country had a strong feeling of justice, and that, if a real case of injustice were made out, they would not allow it to remain." I believe the remark to be perfectly correct. It encourages me to hope, that such a measure as I am about to suggest may ultimately be carried.

* *Times*, 5th Aug. 1876.

Indeed I am convinced that the feeling of discontent which has arisen from the present law cannot subside as long as the law remains in its present state. But before I suggest any remedy, I will state more specifically some of the grievances which are the subject of complaint.

Financial grievances.

First, as to the establishment of schools. If the provision for education in any parish or district is decided by the Inspector to be deficient, the Board can raise money for a new building or for additions to the old one by loan. They can assign the rate as security. On the other hand voluntary subscribers can raise no loan on the security of future subscriptions. Whatever money is required must be supplied in the form of immediate donation. Yet the same Act, which gave to the one party the power of raising loans, took away from the other, after a period of six months, the assistance of building grants. The supporters of Denominational Schools are compelled to pay the rate for the establishment of Board Schools; but are denied any share of even their own payments for the establishment or enlargement of their own schools.

Second, as to the maintenance of schools. The supporters of Denominational Schools are compelled to contribute their full share of the rate to the maintenance of Board Schools although they have subscribed to their own schools; and are not allowed to derive any benefit from the

money which they themselves pay by way of rate: while the supporters of Board Schools contribute nothing to the maintenance of Denominational Schools, but use the rate paid by the supporters of the latter in carrying on their own competition against them.

Third. The rate of which the supporters of Denominational Schools are compelled to pay their share, furnishes to the Board School not merely a bare maintenance, but a fund practically unlimited. The Board can overbid their rivals by giving high salaries to teachers, and underbid them by accepting the lowest fees from parents; and can recoup themselves out of the rate for the losses thus incurred, and for every disregard of proper economy; while the subscribers to the Voluntary Schools, having to pay both rate and subscription, cannot afford to make a corresponding outlay on their own schools.

Confiscation.

Fourth. Consider the nature of the result which would ultimately ensue in case the sanguine expectation and hopes of some of the Board School party were to be realized, and the Denominational Schools were to be extinguished. The building of Church Schools alone has cost £13,500,000. We have no calculation of the sums which other Denominational Schools have cost. All the sums together must be enormous. If the supposed result were to ensue, these enormous sums would be virtually confiscated; and

the confiscation would be the direct consequence of the partiality of the law.

Denominational teaching forbidden.

Fifth. The grievance which I will next mention is of a distinctly religious character. Although the Board and the ratepayers of a parish, by a large majority, or even unanimously, should desire denominational teaching in the rate-supported school, the law forbids them to introduce it; nor will the concurrence of the great bulk of the parishioners make any kind of difference. Perhaps it will be said that where such unanimity prevails, recourse need not be had to a School Board; that the Schools may be maintained by voluntary contributions. Not always: in *many* cases, indeed, it is not so. There are many parishes, in which the heavy cost of building and maintaining a school, such as it is now required to be, cannot be met except by a rate. The burden of a voluntary subscription usually falls on a small number of the parishioners, often upon persons of limited income. It frequently happens that no real difference of opinion prevails; but some parishioners are absentees, and indifferent to the claims of the parish; some are penurious; some are devoid of means. Is it reasonable that, in order to obtain from all parishioners their fair share of payment towards public education, those who would pay their shares readily should be compelled to support a system of education from which the religion desired by all is excluded?

Why should they not be able to enforce such a payment, without submitting to a restriction which is quite inconsistent with religious liberty?

Sixth. But suppose the parish or school district is not unanimous. Suppose the ratepayers are about evenly divided, but a School Board having been created, the Secularist party are in the majority: then they may appoint, as has been the case in instances which have been mentioned to me, a Socinian, a Jew, or a Freethinker to be master or mistress of the school: or, whoever may be master or mistress, they may forbid all mention of religion in the school, as is the case at Birmingham and in not a few other Board Schools throughout the country. Nevertheless, the Church of England rate-payers are compelled to pay their rates to this school, and to this school alone; and, if there is no second school, the Church of England parents are compelled to send their children to it.

Against this evil—*Education without Religion*—no conscience-clause is any protection.

Let it not be said that a child who attends a purely secular school will be taught religion *elsewhere* and at *some other time.* I have already answered this suggestion.* I need not repeat what I have said. Truth however requires this addition. For *elsewhere* read *nowhere.* For *some other time* read *no other time.*

* *Denominationalists and Secularists*, pp. 27, 28.

Case of Birmingham.

Birmingham is a warning to all England. During three years the experiment has there been tried of a school education without religion. It has been tried under favourable circumstances, because a society, such as could be found in only a few places, has during that time been labouring to give religious education to as many of the children as possible. The result has been, that out of 17,253 children 5,600* have been instructed in religion of some kind; 11,653 have learnt no religion at all.

Birmingham now renews the experiment for three years more; if with the same results, there will be 11,653 children, who have learnt nothing of the duties, or guidance, or comfort of religion. Who can foresee of what sins or crimes these children may be guilty; what sorrows may await them without one ray of comfort? And at whose doors will these offences and miseries be properly laid? At the doors of those legislators, who, in passing the Education Act, abandoned the religious basis which was required by the Queen and laid down by the Government in 1839,† and set at defiance the indisputable maxim, that education without religion is education without its most precious blessing. Let any one of these legislators, who sets a value upon religion, ask himself

* See *Times*, 20th Jan. 1877. See also Appendix, page 39.

† See page 5.

what would be his feeling, if he were compelled to educate his child from his sixth to his twelfth year in complete ignorance of his duty towards God, and of God's love to him? Then let him ask himself this serious question, "Was I justified in inflicting upon these poor children and their parents a privation, which in my own family I should regard as the gravest of calamities?"

Effect of the law upon Church teaching.

Seventh. The wrongs which arise out of the Elementary Education Act affect all religious denominations, but affect most sensibly the Church of England. The extent to which they affect the Church is constantly underrated. Take the case of parents, who wish in training their children, to comply implicitly with all the requirements of the Church. The Church, speaking through the Prayer Book, which has been sanctioned by Act of Parliament, requires every minister who baptizes a child to charge the parents and sponsors to "see that the child is instructed as to the vow which has been taken for him; in the Creed, the Lord's Prayer, and the Ten Commandments;" and in "all other things which it is necessary for him to know for his soul's health." Further, the Church directs that a child, who has been baptized, shall be instructed in the Catechism, before he be brought to be confirmed; and also, that none shall be admitted to the sacrament of the Lord's Supper, "until such time as he has been confirmed or is ready and desirous of being confirmed:"

while at the same time she teaches that the sacrament of the Lord's Supper, as well as Baptism, is "generally necessary to salvation." Can a greater grievance be inflicted upon sincere and obedient members of the Church, than to require them to send their children to a school in which all this teaching is distinctly prohibited? The action of the law is to destroy the very foundation on which this part of the Church system entirely depends. The law violates the liberty of conscience not merely of parents, but of sponsors, clergy, bishops, school-masters and school-mistresses; indeed of all persons who in respect of the child's education are anxious to conform to the Church's discipline. Such is the grievance which is inflicted upon Churchmen, in schools which they are obliged to maintain in addition and in opposition to their own schools. At the same time, they are, looking at the country at large, more numerous than any of the many various classes of Dissenters, if not than all of them added together.

The mode in which the Legislature has dealt with the Prayer Book deserves further notice. How to teach and expound the Bible has been long a subject of controversy; but during three centuries and more the Prayer Book has been accepted by the ablest English divines as the best interpreter of the Bible, as well as the safest standard of sound religious knowledge. That this book should be proscribed by the Vatican is easily

understood. But that the British Legislature should prohibit the use of it in the Elementary Schools of England could hardly have been anticipated. Nor can it be matter of surprise if, while this prohibition is enforced, children are drawn away to Romanism on the one hand, or infidelity on the other.

The law upon these subjects is strongly in contrast with the law before 1870. Before that time education was optional; the support of it voluntary; freedom of religious teaching complete. Thanks to Lord Sandon, the parent's duty to educate his child is now recognized by statute; the support of education is compulsory, but freedom of religious teaching has been to a great degree suppressed.

## Remedy Proposed.

Remedy proposed.

For the evils which I have enumerated I propose to find a remedy in the establishment of *perfect equality* between schools formed upon the principles of the Board Schools, and Denominational Schools. The remedy is of the following nature. Let every parish or district determine by vote of the ratepayers, whether the schools situate within it shall be supported by voluntary contribution or by rate. If the determination is in favour of a rate, let it be a necessary consequence that every Elementary School situate within the parish or district, and approved of by the

Education Department as efficient, shall receive a share of the rate; the share to be proportioned to the number of children in each school. Let the same rule be applied, if a rate is forced upon a parish or district under the powers of the Act.

Remedy practicable.

I may remark upon this plan that there will be no difficulty in carrying it into effect. The necessary information will be found in the returns which are regularly made by the inspectors to the Education Department. The statement of the attendances at all the different schools added together will regulate the amount of the entire aggregate rate to be raised in the parish. The number of attendances in each individual school will determine the proportion of the entire rate to which each school will be entitled.

Not only is the plan practicable, but also it does not interfere with any of the work which has already been accomplished. The Board Schools already existing will remain untouched. If they are preferred by the parents, they will, in spite of the adoption of this plan, gradually supersede their rivals.

A plan of this description would require the creation of a governing body or Board in every parish or district which has decided to support its schools by a rate. One of its duties would be to settle in the first instance the aggregate amount of the rate; and next the proportions of it due to each

school. Under the present law the governing body, that is the Board,* may delegate to managers "their power of managing and controlling schools;" they "may remove them, increase or diminish their number;" they "may continue or discontinue schools," "receive transfers of schools, or re-transfer them." It is their duty "to build and furnish schools, and provide a sufficiency of them for the entire parish or district." All these powers they are to exercise under the immediate control of the Education Department.

Free choice as to Religious Education.

My desire is that they should go one step farther; and, while they provide Undenominational or Secularist Schools for those who prefer them, they should also be at liberty to provide or to maintain Denominational Schools for those who prefer them. For instance, if a requisition is presented to the Board by an adequate number of ratepayers, for the establishment of a Denominational or Secularist School, let it be their duty to provide it, and to appoint managers by a similar delegation of authority, always selecting as managers persons identified in religious opinion with the school to be managed. Let such appointment of managers be subject to the control of the Education Department. In case the requisition is refused, let an appeal lie to the same Board.†

* See 33 & 34 Vict. c. 75, *et seq.*

† In some cases the new school built in compliance with the requisition may include so many places for children, that these

There may be some parishes or school districts in which the managers of a Voluntary School may decline to accept for it any share in the rate; such school will continue to be managed as before, and to be, as before, independent of the Board as to finance and management.

General result of plan proposed.

If such a plan as I have here suggested were to be carried into operation, the general result would I believe be, that in every parish or district the schools would be all maintained by voluntary subscription, or all aided by rates; and in every school the teaching would be Denominational, or Undenominational, or Secularist, according to the choice and decision of ratepayers and parents. But all schools, equally, would be bound to carry on such a system of secular education as would satisfy the requirements of the Education Department. And there would be this great advantage; that the schools would be in accordance, not with a hard and fast system devised by the Legislature for the whole country, but with a system adapted to the religious opinions of the ratepayers who supply funds for the schools, and of the parents whose children are to be educated. The great defect of the Board system, that is, its narrow and

places being added to those which existed before, the whole may exceed the total number of places required. Wherever this is the case, the requisitionists must bear the expense of the excess, either by agreement, or under the arbitration of the Education Department.

restrictive character, would be removed. The Board in administering the Education Fund would act in favour of all persons by whom it is contributed, instead of acting in favour of some and adversely to others. And instead of having a policy confined to a section of the community, it would have a public policy for public benefit.

Removal of grievances.

A remedy, such as I have proposed, would, I believe, remove all the grievances which I have mentioned. Were it adopted, the supporters of Undenominational Schools would be unable to throw upon others the expenses of their schools without contributing in return to the schools of their neighbours. There would be one common rate of payment by all and for all. There could be no unfairness of competition; no confiscation of property in consequence of the poverty of subscribers; and, if a loan could be obtained for one school, it could also be obtained for another. Above all, the offences against conscience would cease. The Secularist would have no cause to be offended because his rate went to the support of the Methodist School; nor the Methodist because his rate went to the support of the Secularist School. There would be the same absence of a cause of displeasure between Churchmen and Dissenters. The feelings of parents would be as far as possible consulted in the child's religious education. The clergy and the ministers of different denominations would enter without con-

straint upon the task, which is an essential part of their duty, and which is best discharged by them, that is, the instruction and training of the youth of their flocks.

## Systems of Education in different Countries.

Inference from Dr. Rigg's book.

It is no part of my object to obtain for one class of schools any advantage over any other class. All I ask is *equality of treatment*, a fair field and no favour. Let the schools, which under equality of treatment establish their superiority, fully enjoy the benefits of pre-eminence. But I think that I ought to call attention to some information given by Dr. Rigg in the work which I have already quoted. He is an eminent Wesleyan Minister, and was lately a member of the London School Board. He gives us the results of experience in foreign countries, in which Undenominational Schools have been extensively tried. He shows that after a sufficient trial Denominational Schools have been uniformly preferred; except in Holland, where Secularism has been adopted. The inference from his work is that if Denominational Schools were to be forcibly supplanted in England, the loss of them would be a great public calamity.

United States.

"In the United States,"* he says, "Denomina-

* Dr. Rigg, p. 139.

tional Schools of all classes appear to be somewhat on the increase, owing to the growing complaint as to the absence of religious tone and of moral power and discipline in the common schools. "We* must expect to see these Voluntary (*i.e.*, Denominational) Schools increase and multiply in the large and growing towns of the United States in future. I find that in some quarters a demand is arising that all such schools should participate in the State bounty in some form or other; that, on the principle of payment for well-tested results, they should receive a certain proportion of aid from public funds."

Prussia.

"As originally projected,† the educational system of Prussia was designed as far as practicable to proceed upon the principle of united education, and as little as possible upon the principle of separate Denominational Schools." "This project, however, failed in Prussia, as it failed afterwards in France and in Ireland."

In Prussia ‡ some schools have existed in which the teachers were taken, one from Protestant, another from Roman Catholic Schools; that is, they were Mixed Schools. "But there is a growing feeling against these Mixed Schools; so strong that it is unlikely that any Commune will hereafter agree to have schools of this kind." In the Prussian schools the article in the Constitution is

* Dr. Rigg, p. 140. † Ibid., p. 171.
‡ Ibid., p. 174-5.

"that in the ordering of the public people's schools regard shall be had as far as possible to denominational relations."

"In Germany the plan" (of Undenominational Schools) "after trial had already been set aside in 1832." "In Wurtemberg * and some other countries of Southern Germany primary education is a matter of ecclesiastical control and arrangement under the sanction of the general law of the country, the Church being only another aspect of the State." "Prussia and Wurtemberg are probably the best-educated countries in Germany." "In Switzerland † the ecclesiastical authorities immediately inspect—not, however, alone—and largely direct the schools." "In Holland ‡ the mixed system having been discarded, education has become secular. At the same time it has been considered impossible to use compulsion in favour of schools where no religion is taught; and, on that account, compulsion in Holland is entirely abandoned."

Germany.

Switzerland.

Holland.

Ireland.

With regard to Ireland Dr. Rigg says,§ "Until the way was opened for the reception into the national system of the denominational schools, the National system made slow progress." "By force of circumstances the original conception, as set forth in 1831, has proved to be on the whole *impracticable.* The diverse elements of

* Dr. Rigg, p. 180. † Ibid., p. 200.
‡ Ibid., p. 213. § Ibid., p. 248.

Irish ecclesiastical and religious life could not be held in neutral solution within the school-room; the process of crystallization would proceed; it has in fact taken place; and *instead of a common unsectarian system* we have an aggregate of schools under denominational influence and management, which to some effective extent, yet with many failures and drawbacks, are nationalized for educational purposes."

I do not find in any one of the countries mentioned by Dr. Rigg a single instance, in which the undenominational system has been permanently successful. On the other hand in Canada there is a denominational system supported by rate or public funds, which is still prevailing after the experience of many years.* It assumes different forms in Upper and Lower Canada according to the different circumstances of the two provinces. There is in both provinces a power of establishing schools in conformity with the views of the Church of England, or Roman Catholic, Presbyterian, Baptist, or Congregational bodies. Any such schools are established on the application of an adequate number of freeholders or householders resident within a school district. There has always been a rate in Upper Canada: but the ratepayer has been able to assign his rate to the

Canada.

* See *Report on the Common School System in the United States and Canada*, by the Bishop of Manchester, 1866, pp. 205-313.

class of schools which he has preferred. Canon Gregory* has published a very able pamphlet, in which he has shown two alternative schemes, by either of which the principle of Canadian schools may be adopted in England. I strongly recommend to my readers the perusal of this pamphlet. They will see in the example of Canada, how the exercise of freedom in religious education may be extended with perfect justice to all classes in this country.

## Conclusion.

Danger to children.

And now what is the general aspect of Elementary Education? It was remarked by the late Sir Benjamin Brodie, that a child's mind is always full of *something:* and if not of *something good*, then of *something bad.* Is not this remark correct in respect of religion? If the principles of religion are not instilled into a child's mind, irreligion takes possession of it. The preachers of infidelity are always near at hand. Shops containing their tracts establish themselves in the neighbourhood of Board Schools. The Archbishop of Canterbury, in a recent charge, told his clergy that their great duty at this period is to contend

* See *Is the Canadian system of education rates possible in England?* By Robert Gregory, M.A., Canon of St. Paul's. National Society, Sanctuary, Westminster.

against the progress of infidelity. Surely parents should receive encouragement to preserve their children from its contamination.*

* "A writer in the *Contemporary* says: 'All the garbage that belongs to the history of crime and misery is raked together to diffuse a moral miasma through the land, in the shape of the most vulgar and brutal fiction.' The Bishop of Peterborough, the other day, stated that 'He had seen some of these publications, cleverly written, and largely circulated among the working-classes of this country, which for foulness of denunciation, virulence of abuse, and rancour of hate against not merely the doctrines of Christianity, but the very Person of its Blessed Founder, were unparalleled in literature, and were not to be exceeded by the most horrible utterances of the last century, even amid the horrors of the French Revolution.' . . . Four of these sensational periodicals circulate a million copies weekly (a large proportion on the Sunday morning) representing a weekly expenditure, mainly by the working classes, of more than £200,000. The London *Globe*, a few weeks since, in a leader, called attention to the noteworthy fact that '*wherever a new Board School was opened*, there in the immediate vicinity, would be found a shop where the *Boy Highwayman* and other pennyworths, with villanously coarse pictures on the front, and villanously vile teaching within, might be obtained.' One of the sellers remarked to a good man who said 'that he thought education would soon indispose the young to buy the rubbish offered in these shops:' 'You don't know what you are talking about. You and your School Boards have been the making of such as me. The children used to come round the window, blocking the pavement, just for the sake of a peep at the pictures; but it's different now; you've learnt 'em all to read; now they buys 'em. Where I used to sell one *Blueskin* or *Boy Highwayman*, I now sell half a dozen.'"—*Woman's Work, No. for January*, 1877.

Principles to be maintained.

Lord Russell laid down great principles in 1839; first, religious instruction; second, general instruction; third, moral training; fourth, habits of industry. Those principles were established by statute in 1839. They remained on the statute-book until 1870. They have prevailed in the Voluntary Schools until the present time. Few great principles have received more signal proofs of public approbation. They have produced their fruits, as we have seen, in a vast amount of education given at extensive self sacrifice. Until 1870 religion was regarded as a necessity in education. Is it not a necessity now?

Why may not the freedom which formerly prevailed with so much advantage be re-established? Why not enlarge the system? Why not extend the benefit of the rate to all classes of persons who are compelled to pay it? Why not make the system liberal instead of restrictive? Why are not ratepayers to be allowed to determine the application of the money which they are themselves compelled to pay? The children are the children of the parishioners; the rate is their money; the parishioners manage the schools and manage them with the approbation of the Education Department. Why may they not in the management of them consult their own wishes and opinions? Above all, why these offences against men's consciences? The Secularists would complain, if their money were applied in support of a

Church School. But one man's conscience is as much entitled as another man's to the protection of the Legislature. Why is the Churchman or the Wesleyan to be offended by the outlay of his money in support of the Secularist School? There is a complaint that bitterness prevails in the School Board elections. But can bitterness cease while the law is one-sided? It is for the Legislature to allay the bitterness by an impartial deference to the feelings and wishes of the entire people who are subject to their government. Let the Legislature cease to impose restrictions upon the religious teaching of any class of the community; give free course to religious opinion in the management of schools; respect the consciences of all denominations, and make and administer laws upon the strictest principles of justice.

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## APPENDIX.

(Note upon page 24.)

Since this Pamphlet went to the press, I have been informed that after the appearance of this statement in the *Times*, a change was made by the Religious Education Society: a change founded upon the principle of giving half the amount of education to double the number of children. There are now ten schools: and, except in the boy's department of one school, the teachers are to attend *once* a week instead of *twice* for three-quarters of an hour. No proof of efficiency

in past years has been published. Efficiency can hardly be promoted by this change.

At the same time the number of the Board School children has increased.

There are on the books 20,891.

Accommodation is provided for 18,958.

Religious instruction upon the footing which I have mentioned is offered to 9,354.

Those who are familiar with the education of children will judge *whether the change is for the better or the worse.*

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